INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: ALASKA DISTRICT
FILE NUMBER: POA-2005-1846-8

REGULATORY PROJECT MANAGER: FORREST MCDANIEL **Date:** 02/06/2006

PROJECT REVIEW/DETERMINATION COMPLETED: **In the office** _Y (Y/N) **Date:** 02/06/2006
At the project site Y_ (Y/N) **Date:** 12/13/2005

PROJECT LOCATION INFORMATION:

State: ALASKA
County: NO COUNTY OR BOROUGH
Center coordinates of site by latitude & longitudinal coordinates: 64.1169N, 145.7065W
Approximate size of site/property (including uplands & in acres): 60 ACRES
Name of waterway or watershed: TANANA RIVER

SITE CONDITIONS:

Type of aquatic resource[1]	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands						X			
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type) _____									

[1]Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors[1]:	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?		X			
Is used to irrigate crops sold in interstate commerce?		X			

[1]Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: **Preliminary** __ **Or** **Approved** X_.

ADDITIONAL INFORMATION SUPPORTING:

Based on the information available to this office, and obtained during a December 13, 2005 onsite visit, this parcel contains wetlands which meet the criteria in the Corps of Engineers 1987 Wetland Delineation Manual.

Vegetation: Area of alder, black spruce and willow with scattered clumps of aspen and white spruce.
Soils: Tanana series: nearly level, somewhat poorly drained soil formed in silty and very fine sandy sediment laid down by water. Uncleared areas are perennially frozen at a depth of about 20 to 30 inches below the surface mat of organic material. Once cleared, the permafrost table recedes to a greater depth which permits moisture to drain downward in the soil. The soils are hydric if uncleared but tend to convert when cleared. Portions of the parcel contain Salchaket soils that are not hydric.
Hydrology: The wetlands are part of a complex of wetlands that have been cleared and drained for crops and pastures. The poorly drain soils are underlain with permafrost. Farmers remove the trees and bushes using a bulldozer with a shearing blade while the ground is frozen. After the soil thaws in the spring, stumps and roots are windrowed with the bulldozer. After most of

the organic mater is removed from the soil the permafrost table recedes to a greater depth which permits moisture to drain downward in the soil. Surface water disappears into the moderately deep well drain soils.

Rationale: Although this parcel may contain wetlands, which meet the criteria in the Corps of Engineers 1987 Wetland Delineation Manual, they are not subject to our jurisdiction under Section 404 of the Clean Water Act, since they are isolated, intrastate, non-navigable, and we are unable to demonstrate a nexus to interstate commerce.